



FREMONT PLANNING BOARD

February 20, 2008

Meeting Minutes

Approved February 27, 2008

Present: Chairman Roger Barham, Co-Chair and CC Rep. John (Jack) Karcz, Members Leon Holmes, Jr., Mark Pitkin, John (Jack) Downing, Building Official Thom Roy, RPC Circuit Rider David West and Land Use AA/Recording Secretary Meredith Bolduc.

Mr. Barham called the meeting to order at 7:05 pm.

MINUTES

Mr. Karcz made the motion to approve the minutes of the January 23, 2008 meeting as written. Motion seconded by Mr. Holmes with unanimous favorable except for Mr. Downing who abstained as he was not yet a Member at the time of that meeting.

Mr. Karcz made the motion to approve the minutes of the February 13, 2008 meeting as written. Motion seconded by Mr. Holmes with unanimous favorable except for Mr. Pitkin who abstained as he was not present at that meeting.

EXCAVATIONS

There was a conversation relative to whether to eliminate the number of cubic yards of excavation material that can be taken from a lot and considered as incidental to building. There was a discussion relative to Article 3 Section 3.5.1 (a) of the current Fremont Excavation Regulations which says that "exempted activities from the permit requirements of the Fremont Excavation Regulations include an excavation that is exclusively incidental to the lawful construction or alteration of a building or structure or the construction or alteration of a parking lot or way including a driveway on a portion of the premises where the removal occurs; provided, however, that no such excavation shall be commenced without a permit under these Regulations unless all state and local permits required for the construction or alteration of the building, structure, parking lot, or way have been issued." And 3.5.1 (d) states that "in all cases under this part, the total volume of material must be limited to no more than three thousand (3,000) cubic yards." Elevations as they pertain to the land contour and regulations for incidental gravel operations were discussed and Mr. Barham asked Mr. West to look into some of the regulations other towns have in place.

It was noted that the State rules say that an intent to excavate must be filed with the NH Department of Revenue Administration (NHDRA) when removal of excavated material becomes 1,000 cu yds or more. Mr. Pitkin stated that he did not feel it was unreasonable to take 3,000 cu yds off a site especially if the building included a walk-out basement with an 8' cut. Other Members felt that 3,000 cu yds is a lot of material to be taken off a site when it is incidental to

building. It was agreed that a reduction from 3,000 to 1,000 cu yds under section 3.5.1 (d) of the Excavation Regulations will be added to the next round of Excavation Regulation Amendments.

JEREMY LENNON

Map 2 Lots 129 and 129-001 - 006: Rt 111A

Mr. Barham reported that the Board has received a copy of a February 14, 2008 Cease and Desist Notice from the Selectmen to Jeremy Lennon relative to removing "earth" from the above referenced sites. Mr. Barham also reported that the Board received a copy of a February 13, 2008 correspondence from Town Administrator Heidi Carlson to Mr. Lennon relative to permits and a NH Department of Revenue Administration (NHDRA) Intent to Excavate form required to be submitted and approved for the removal of gravel from any of his lots. Mrs. Bolduc reported that Heidi related that Mary Pinkham-Langer of NHDRA visited the site today and will be issuing a written report relative to her findings as a result of her site visit. Mr. Roy noted that Ms. Pinkham-Langer's report will be relative to the DRA requirements and not the Towns.

Mr. Barham noted that the conversation in the section above "Excavations" came about partially because of the Jeremy Lennon situation where there are 6 one acre sites and unpermitted excavation has taken place on a lot that does not have a building permit.

RSA 155-E: 1-V defines "excavation site" as any area of contiguous land in common ownership upon which excavation takes place and 1: VI defines "excavation area" as the surface area within an excavation site where excavation has occurred or is eligible to occur under the provisions of this chapter. Mr. Roy stated that under this rule if you have a grandfathered permit for one lot and you own an adjoining lot it would be considered the same excavation site, and he believes that this should be in the same context of our Excavation Regulations.

Mr. Lennon is scheduled to meet with the Board on February 27, 2008.

RPC COMMISSIONER

RPC Commissioner Peter Bearse joined the meeting at 7:35 pm to give a short briefing of the February 13, 2008 monthly Commissioners meeting. He reported that the main topic of the meeting was the Regional Brownfields Assessment Program. Mr. Bearse noted that there is an Environmental Protection Agency (EPA) grant to do the program. This program will inventory known and suspected Brownfield sites and work with communities, developers and NHDES to get them redeveloped and into productive use again. Selected sites from the inventory will be assessed to determine the nature and extent of contamination, then redevelopment opportunities will be explored. Brownfields are defined by EPA as "real property where redevelopment, reuse or expansion is complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant." The presence or perception of contamination due to a previous use often leads to properties being underutilized. The Brownfields program is intended to improve the redevelopment potential of these sites and put them back in productive use.

Mr. Bearse reported that RPC is working with 6 communities that do not include Fremont and Mr. Bearse stated that he would like to find out if Fremont has any sites that would qualify as a Brownfields site. Mr. Bearse stated that many of the sites that have been identified are the sites

of old mills. Mr. Bearse stated that this is a program where the selection of sites is geared more toward redevelopment potential vs environmental impact. This prompted a discussion relative to the Brownfields program and redevelopment vs community planning.

Mr. Bearse asked if there are any areas in Fremont that would qualify as a Brownfields site. The old dump site on RT 111A was mentioned, but in the context of redevelopment there are no areas that the Board Members could think that would qualify as Brownfields sites.

Mr. Bearse stated that other business of the Commissioners meeting was not relevant to Fremont. The Board thanked Mr. Bearse for his report and he left the meeting at 7:55 pm.

GIS MAPPING

Mr. West did a media presentation for the Members to show potential GIS capabilities for the Planning Board. He showed several maps that could be overlayed onto other maps. The selected software application would allow for overlay of any or all maps of the Town so that you could look at a parcel, or area, and determine for example, if it was in the Aquifer, Prime Wetland, Flood Zone, etc. Applications such as Arc Explorer and Arc Reader, some of which are free, were discussed. Mr. West agreed to find out which programs would be best for what the Board would want to accomplish. Once that is determined he could put together a grant application to CTAP for funding of the GIS package including some education sessions to learn how to run it.

MEETING SCHEDULE

There was a conversation about changing the Planning Board meetings from the second, third and fourth Wednesdays of the month to the first, third and fourth Wednesdays. That would leave the second Wednesday free for Mr. West and/or other Land Use Members or Officials to attend the monthly RPC meetings that are held in that time slot. If the Board decides to do this it will take effect in April. It was agreed to talk about this change at the next meeting.

There was a conversation relative to the need for a representative from Fremont to serve on the Technical Advisory Committee (TAC) of the Rockingham Metropolitan Planning Organization (Rockingham MPO), a federally designated entity that administers the urban transportation planning process for the 27 communities of the RPC. The purpose of the "TAC" is to provide technical advice and recommendations to the Policy Committee concerning transportation issues that have a bearing on the region. There were no volunteers at this time and Mrs. Bolduc will find out more about who serves on the committee from other Towns.

COMMUNITY ASSESSMENT REPORT

Mr. Barham advised that at the March 12, 2008 meeting the Board will reviewed the Town of Fremont Community Assessment Report that was previously distributed by Mr. West.

MASTER PLAN

Natural Resources Chapter (NRI)

The Board reviewed a draft of the NRI amendment for the Master Plan. As suggested at the last meeting, Mr. West submitted an explanation paragraph for table 1. There was a conversation

relative to the information in the residential/commercial line in table 1 being erroneous and possibly should be changed. Mr. West stated that Granit created the table and he has a problem with changing someone else's information. He suggested that the table should be called "Land Cover". After some conversation it was agreed that the table will be relabeled "Land Cover" and there will be a deed book and page column added in table 2. At the last meeting Mr. West stated that he will create a table that has parcel base and the 2005 land use map for the Land Use Chapter of the Master Plan.

Historic Resources

The Board reviewed the Historic Resources amendment as submitted by Matthew Thomas. It was found that the document points to an index for the map in Table HR-1, but there is no table. Matthew Thomas will be contacted to see if he has the table. It was also agreed that Mr. West will update map HR-1. It was agreed that this amended chapter is not yet ready for Public Hearing.

Community Facilities Chapter

Mr. West stated that he has received the worksheets from the Police Department and the School SAU office, but he does not have the Highway Departments worksheet. Mrs. Bolduc agreed to contact the Road Agent for his submission.

Housing Chapter

Mr. Barham reported that the Board has received a copy of the February 12, 2008 "Local Government Funding Request for CTAP Discretionary Funding" that was submitted by Mr. West for Fremont for funding for the Housing Chapter of the Master Plan. Mr. West said that there has been no reply from CTAP yet.

Implementation and Action Plan Chapter

Mr. West was directed to apply to CTAP for \$1,500 to create an Implementation and Action Plan Chapter of the Master Plan at the last meeting. Mr. West stated that the application has not yet been submitted.

Energy Committee

The Board reviewed the report received from Bob Larson as a suggested document for the Energy Chapter to the Master Plan. The report was as follows:

The local goals of the Fremont Energy Committee:

- a) Reduce energy consumption in municipal facilities and activities through conservation and utilization of alternative and state of the art energy sources.
- b) Promote the use of alternative energy technology and conservation measures to the general public.
- c) Work with all departments and boards within the Town to develop procedures, codes, zoning, etc. which will comply with or exceed state and national standards pertaining to energy efficiency.
- d) Work with other public, private and quasi-government entities to share information regarding technology and statutory issues.
 - Making allowances and providing incentives for alternative energy installations such as wind turbines, solar (active and passive), geothermal, fuel cell and combined cycle.

- Ensure that installation of alternative energy is not added to the owners assessed tax evaluation.
- Incorporate energy efficiency oriented building codes and incentives for new and existing structures. (eg. LEED ratings: USGBC certification)
- Consider pedestrian oriented planning.

After some review the Members generally agreed that much of the information is unclear and is not ready for inclusion in the Master Plan at this time as the goals and initiative need to be more advanced and concrete. The Energy Committee will be notified of this decision.

FLOOD ZONE/AQUIFER/FLOOD MAP

Mr. West submitted the new Flood Zone/Aquifer Protection Map with the zoning districts overlay, but this map did not include the parcel map and lot numbers and another map will be submitted.

SCRIBNER ESTATES

Map 2 Lot 001

Mr. Barham reported that Perry Builders has submitted a Conservation Easement deed for the Map 2 Lots 007, 008, 009, 010, 011 as per the June 25, 2003 Planning Board subdivision approval and the recorded subdivision plan #D-31121. This document was forwarded to Town Counsel for his review and approval and is now pending signatures and recording.

RESIGNATION

The Board received and regretfully accepted a letter of resignation of Planning Board Alternate from Scott Boisvert.

CAPITAL IMPROVEMENTS PROGRAM (CIP)

Mr. Barham stated that the CIP will be reviewed and discussed at next weeks' meeting.

SITE PLAN REVIEW REGULATIONS

Mr. Barham stated that the Site Plan Review Regulation amendments will be reviewed at the next meeting.

CORRESPONDENCE

1. Notice of the April 26, 2008 Office of Energy and Planning 15th Annual Spring Planning & Zoning Conference. Information packets will be available by February 16, 2008.

Mr. Karcz made the motion to adjourn at 10:15 pm.

Motion seconded by Mr. Holmes with unanimous favorable vote.

Respectfully submitted,
Meredith Bolduc, Secretary